



GAU 2743

Patent
243/002 (6046-101N5)

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ronald A. KATZ

Serial No.: 09/316,430

Filed: May 21, 1999

For: METHOD AND APPARATUS FOR
COMPUTERIZED HANDLING OF
PROPOSALS (AS AMENDED)

Group Art Unit [Parent Case]: 2743

Examiner [Parent Case]: Woo, S.

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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)(3)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the following information is brought to the attention of the Examiner. The patents are listed on the attached Form PTO-1449. In order not to burden the Examiner with unnecessary copies, the undersigned submits that all the copies were provided with the information disclosure statements filed with respect to Applicant's related 08/189,405 patent application. Of course, if the Examiner would like separate copies for this application, she is requested to notify the undersigned and they will be promptly provided.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this document (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231.

Date: December 16, 1999 Sent by: Connie Kwon Signature: Connie Kwon

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Also, the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

Applicant merely wishes to bring all the information that he is aware of from various sources to the Examiner's attention. For example, certain of the above-listed documents may be of interest because they were cited by the Examiner in other related cases. Other documents may be of interest because they are prior art to other recently issued patents relating to commercial systems (that are not prior art to Applicant's present application that predates them) for example, U.S. Patent No. 5,794,207 to Walker et al, U.S. Patent No. 5,758,328 to Giovannoli, U.S. Patent No. 5,845,265 to Woolston, and U.S. Patent No. 5,710,887 to Chelliah et al. Although these four patents are clearly not prior art, they are listed in this information disclosure statement to indicate the source of some of the documents cited in this information disclosure statement. It should be noted that although a majority of the documents cited here may pertain to commerce type systems, very few utilize . videoconferencing techniques. Applicant has also cited here references that describe operations of "on-line services" such as CompuServe and Prodigy, which were examples given in Applicant's application and references that describe EDI (Electronic Data Interchange) operations.

Also, of interest, perhaps when considering documents cited here and otherwise asserted by the Examiner in relation to the scope of Applicant's claims is a definition¹ (see attached Exhibit 1) of an "online service." It describes an "online service" as follows:

¹ from PC Webopaedia and Links at <http://webopedia.internet.com>

“A business that provides its subscribers with a wide variety of data transmitted over telecommunications lines. Online services provide an infrastructure in which subscribers can communicate with one another, either by exchanging e-mail messages or by participating in on-line conferences (forums). In addition, the service can connect users with an almost unlimited number of third-party information providers. Subscribers can get up-to-date stock quotes, news stories hot off the wire, articles from many magazines and journals, in fact, almost any information that has been put in electronic form. Of course, accessing all this data carries a price.

The difference between an online service and a bulletin board service is one of scale and profits. Online services provide a variety of information and services, whereas BBS's normally concentrate on a single theme. In addition, BBS's are often operated on a non-profit basis whereas online services are always for profit. Three of the largest online services are America Online, Compuserve and MSN.

One online service that defies classification is the Internet. In terms of users, it is the largest service, but it is not centrally controlled by any one organization, nor is it operated for profit.”

Although the various documents cited here have been reviewed by Applicant's attorneys and/or agents, and in their view, Applicant's claims are distinct, the Examiner is encouraged to make an independent determination.

The items identified in this Information Disclosure Statement may or may not be “material” pursuant to 37 CFR § 1.56 and the submission thereof by Applicant shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as “prior art” 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

The attached Information Disclosure Statement is being filed in accordance with 37 CFR §§ 1.97 and 1.98. This Information Disclosure Statement is believed to be timely submitted under 37 CFR § 1.97(b)(3), before the mailing of a first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard,

then the Examiner is requested to consider this a petition and is hereby authorized to charge any fee required by the filing of these papers to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: _____

12/16/99

By: _____

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